

09909806

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT  
APPLICATIONCOMPLETION Under  
Rule 53(f)

In re PATENT APPLICATION of

Inventor(s): FARWICK et al.

Attn: Application Division

Appln. No.:	09	825,293	Atty.Dkt.	P	280108	000561 BT
	Series Code ↑	Serial No. ↑			M#	Client Ref

Filed: April 4, 2001

Title: Novel Nucleotide Sequences Encoding the mtkE-17 Gene

Hon. Commissioner of Patents  
Washington, DC 20231

Date: July 23, 2001

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☒ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☒ Abstract
- b. ☐ # 39 pages of Specification (only spec. & claims)
- c. ☒ Drawing(s) 1  
No of Sheets
- ☒ Fig(s). 1

4. ☐ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in GERMANY

Application No.	Filing Date	Application No.	Filing Date
(1) DE 100 47 867.0	September 27, 2000	(2) DE 101 13 958.6	March 22, 2001
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. 1 (No.) Certified copy (copies): ☒ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. / filed on \_\_\_\_\_
10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)
11. ☐ Attached:
12. ☐ Amendment See Attached

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee .....				Design Application \$320/\$160		106/26
				Not Design Application \$710/\$355	+710	101/201
14. Total Effective Claims	39	minus 20 =	19	x \$18/\$9	+342	103/203
15. Independent Claims	4	minus 3 =	1	x \$80/\$40	+80	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+270	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. <b>FILING FEE ENCLOSED =</b>				<b>\$1532</b>		
19. <b>Original due date:</b> July 30, 2001						
20. <b>Petition is hereby made</b> to extend the <u>original</u> due date to				(1 mo) \$110/\$55 =	+0	115/215
cover the date this response is filed for which the requisite fee				(2mos) \$390/\$195 =		116/216
is attached				(3mos) \$890/\$445 =		117/217
				(4mos) \$1390/\$695 =		118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee .....				\$130	+130	139
22. If "assignment" box 5 is X'd, add recording fee. ....				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. <b>TOTAL FEE ENCLOSED =</b>				<b>\$1702</b>		

Our Deposit Account No. 03-3975

Our Order No. 21123280108

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP**  
**Intellectual Property Group**

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**NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments**